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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/762,793	04/10/2001	Hans Kobschaetzky	10191/1726	1130

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EXAMINER

LAM, THANH

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 03/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/762,793

Applicant(s)
Kobschaetzky

Examiner
Thanh Lam

Art Unit
2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Prel. Amndt. filed on 11/10/2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-15 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Apr 10, 2001 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some* c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 1 20) ☐ Other:

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DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "a snap-fit connection" in line 6 of claim 1, and the limitation "a spring tab" in lines 1-2 of claim 8, and the limitation "a tamping" in line 5 of claim 12 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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4. Claim 8 recites the limitation "a detent" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Rainer et al. (DE 4422492 A 1).

Rainer et al. disclose an electric motor comprising: a housing (4, fig. 2) having a bearing seat (an inner side of the tab 33); an armature shaft (7); and an armature-shaft bearing (32) situated in the bearing seat of the housing, the armature-shaft bearing being retained axially in the bearing seat by one of a detent and a snap-fit connection (35).

Regarding claim 8, Rainer et al. disclose the housing further has a spring tab (33) with one of a detent and a snap projection (35) at a free end (spaced between the bearing 32 and winding 8).

6. Claims 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsushita et al. (USPN. 5,129,740)

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Matsushita et al. disclose an electric motor comprising: a housing (1) having a bearing seat (3); an armature shaft (5); and an armature-shaft bearing (4) situated in the bearing seat of the housing, the armature-shaft bearing being fixed in position in the bearing seat by a tamping (7).

Regarding claim 13, it is noted that Matsushita et al. disclose the bearing is a plain bearing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rainer et al. in view of Mackay et al. (USPN. 5,485,044)

Rainer et al. disclose every aspect of the claimed invention except for a plain bearing.

Mackay et al. disclose a plain bearing (70).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the bearing of Rainer by the plain bearing as taught by Mackay et al. in order to provide the bearing with ease to assembling.

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Regarding claim 10, it is noted that Mackay et al. disclose the shaft has a worm (76, fig. 2) and armature windings (56), the worm being produced by reforming, the bearing being situated on the shaft between the worm and the windings.

Regarding claim 11, it is noted that Mackay disclose the housing further has a longitudinal-play stop at one end (74) face of the shaft, the stop being produced by reforming the housing, the stop limiting an axial play of the shaft, the axial play being set to a predetermined value (210) by the reforming of the housing.

8. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsushita et al. in view of Mackay et al.

Matsushita et al. disclose every aspect of the claimed invention except for the shaft has a worm and armature windings, the worm being produced by reforming, the bearing being situated on the shaft between the worm and the windings.

Mackay et al. disclose the shaft has a worm (76) and armature windings (56), a worm being produced by reforming, the bearing (70) being situated on the shaft between the worm and the windings.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the shaft and rearrange the motor structure of Matsushita to accommodate the motor structure as taught by Mackay et al. in order to provide the motor with ease to assembly.

Regarding claim 15 it is noted that Mackay disclose the housing (38) further has a longitudinal-play stop (74) at one end face of a shaft, the stop being produced by reforming the

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housing, the stop limiting an axial play of the shaft, the axial play being set to a predetermined value (210) by the reforming of the housing.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The fax phone number for this Group is (703) 305-3431.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0656.



Thanh Lam

Patent Examiner

Feb. 26, 2002